

6.0 AGRICULTURE CONSERVATION

6.01 Purpose

The purpose of this district is to preserve, protect, enhance, and where feasible, restore all significant woodlands, scenic areas, significant natural areas and farmlands within the Town of Merrimac. Regulation of these areas will serve to control erosion and sedimentation and will promote and maintain the natural beauty and character of the Town, while seeking to assure the preservation and protection of areas of significant topography, natural watersheds, ground and surface water, potential recreation sites, wildlife habitat, and other natural resource characteristics that contribute to the environmental quality of the Town. **This ordinance shall provide a mechanism for the Town to reasonably regulate the design, placement and buffering or screening of buildings, other structures, roads and driveways in the process of site plan application review, in such a way as to best preserve the rural and scenic qualities of the Town's landscape, in order to: (1) eliminate the siting of new construction on or near the crest of prominent bluffs, hilltops and ridges, particularly seen from public ways, (2) fit development into the landscape to minimize significant landscape alterations, (3) buffer or screen development with native vegetation, (4) preserve and protect woodlands, forestlands, wetlands, and agriculture, and (5) protect productive agricultural land.**

6.02 Land Uses

In order to protect and preserve significant wildlife habitat, geologic features, natural features, scenic features, scenic features and natural vegetation, no land shall be used and no building shall hereafter be erected or moved except in accordance with the regulations below:

1) Permitted Uses.

- a) General farming, cultivation of crops, including dairying, livestock raising, poultry raising, and grazing when conducted in accordance with the county conservation standards.
- b) Forest preservation, nature trails and walks, forest and game management, and hunting and fishing as permitted by landowners and state regulations.
- c) One single-family dwelling on parcels (as defined by this Ordinance) which are lots of record at the time of adoption of this ordinance **on January 11, 1993**. All standards for the Single Family Residential District (R-1) shall apply to such dwellings **as a minimum standard and:**

- 1. **All new dwellings and structures shall be reviewed by the Planning and Zoning Commission and subject to approval by the Town Board.**
- 2. **A driveway construction plan shall be prepared by a licensed civil engineer when construction of a driveway or segment of a driveway requires disturbing land with a grade of 10 percent or more.**
- 3. **All driveways in this district shall have a firm surface capable of supporting emergency vehicles under all weather conditions. A clear**

space of 14 feet high and 16 feet wide shall be maintained at all times for emergency vehicle access. Appropriate signage shall be placed at the entrance to a driveway servicing a residence so emergency personnel can accurately and expediently locate the driveway. The sign shall conform to Sauk County regulations.

3. The maximum length of a driveway is 400 feet. Any driveway longer than 400 feet may be approved as a Conditional Use when the landowner shows satisfactory evidence that the same is necessary because of natural barriers or some special condition of the land. The Town Board may consult with the Fire Department.

- d) Pre-existing dwellings located in areas subject to zoning under this district may be continued in residential use. Such pre-existing residences **and other structures** may be altered, repaired or rebuilt if destroyed, and ~~garages~~, porches, room additions, and other remodeling may be permitted, but shall be subject to the setback, height, and other dimensional requirements of the R-1 District.
- e) Home occupations conducted within and accessory structures to a permitted residential use, subject to the requirements for such occupational uses in the R-1 District.

6.03 FOREST MANAGEMENT AND CONSERVATION

In order to protect and preserve wildlife habitat, geologic features, natural features, scenic features, scenic features and natural vegetation, any removal of timber is subject to review of the Planning and Zoning Commission and Town Board approval with the following exceptions:

- 1) Cutting of timber for personal use or firewood that will not be marketed for sale or resale outside of the Town.
- 2) Salvage cuttings including the cutting of timber damaged by storm, fire, insect infestation, or disease.
- 3) The cutting of any timber on lands participating in the Wisconsin Managed Forest Law program.
- 4) Any property owner who provides to the Zoning Administrator a written statement from the Sauk County Forester or the Wisconsin Department of Natural Resources that the cutting of timber is being harvested in compliance with best forest management practices.
- 5) Clearcutting for the purpose of wetland restoration south of the Baraboo Bluff Range on any property subject to paying property tax.
- 6) Any property owned by the Wisconsin Department of Natural Resources that is not being clearcut of all timber.